

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID LUCESCU, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

MIKE ZAFIROVSKI and PAVI BINNING,

Defendants.

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Civil Action No. 1:09-cv-04691-DLC

CLASS ACTION

NOTICE OF APPEAL

Notice is hereby given that Lead Plaintiffs Kien Chen and Moreno Minto, on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Second Circuit from the Judgment entered by the Clerk of the Court on April 11, 2018 (Dkt. 70). This notice encompasses the Judgment as well as all prior and subsequent rulings related to or merged into the Judgment, including the Opinion and Order, entered on April 11, 2018 (Dkt. 69), granting Defendants' October 6, 2017 motion to dismiss the Amended Complaint.

DATED: May 11, 2018

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Additional Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2018, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such public filing to all counsel registered to receive such notice.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 11, 2018.

/s/ David A. Rosenfeld

DAVID A. ROSENFELD